B1 (Official Fold 4-1) 0383-smb Doc 1 Filed 02/21/14 Entered 02/21/14 22:14:50 Main Document UNITED STATES BANKRUPTCY COURT Pg 1 of 3 **VOLUNTARY PETITION** Southern District of New York Name of Debtor (if individual, enter Last, First, Middle): Name of Joint Debtor (Spouse) (Last, First, Middle): Suntech Power Holdings Co., Ltd. All Other Names used by the Debtor in the last 8 years All Other Names used by the Joint Debtor in the last 8 years (include married, maiden, and trade names): (include married, maiden, and trade names): Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN Last four digits of Soc. Sec. or Individual-Taxpayer I.D. (ITIN)/Complete EIN (if more than one, state all): (if more than one, state all): Street Address of Debtor (No. and Street, City, and State): Street Address of Joint Debtor (No. and Street, City, and State): Level 5 Strathvale House 90 North Church Street, PO Box 258 George Town, KY1-1104 Grand Cayman ZIP CODE ZIP CODE County of Residence or of the Principal Place of Business: County of Residence or of the Principal Place of Business: Cayman Islands Mailing Address of Debtor (if different from street address): Mailing Address of Joint Debtor (if different from street address): c/o David Walker and Ian Stoke, Joint Provisional Liquidators PwC Corporate Finance & Recovery (Cayman) Ltd P.O. Box 258 Strathvale House Grand Cayman, KY1-1104, Cayman Islands ZIP CODE ZIP CODE Location of Principal Assets of Business Debtor (if different from street address above): See Verified Petition in Support of Recognition of Foreign Main Proceeding Pursuant to Section 1517 of the Bankruptcy Code ZIP CODE Type of Debtor **Nature of Business** Chapter of Bankruptcy Code Under Which (Form of Organization) (Check one box.) the Petition is Filed (Check one box.) (Check one box.) Health Care Business Chapter 7 Chapter 15 Petition for Individual (includes Joint Debtors) Single Asset Real Estate as defined in Chapter 9 Recognition of a Foreign Chapter 11 See Exhibit D on page 2 of this form. 11 U.S.C. § 101(51B) Main Proceeding  $\checkmark$ Chapter 12 Chapter 15 Petition for Corporation (includes LLC and LLP) Railroad П Chapter 13 Recognition of a Foreign Partnership Stockbroker Commodity Broker Other (If debtor is not one of the above entities, check Nonmain Proceeding this box and state type of entity below.) Clearing Bank Z Other Chapter 15 Debtors Tax-Exempt Entity Nature of Debts (Check box, if applicable.) (Check one box.) Country of debtor's center of main interests: ☐ Debts are primarily consumer Debts are Cayman Islands Debtor is a tax-exempt organization debts, defined in 11 U.S.C. primarily Each country in which a foreign proceeding by, regarding, or under title 26 of the United States § 101(8) as "incurred by an business debts. against debtor is pending: Code (the Internal Revenue Code). individual primarily for a personal, family, or Cayman Islands household purpose." Filing Fee (Check one box.) Chapter 11 Debtors Check one box: Full Filing Fee attached. Debtor is a small business debtor as defined in 11 U.S.C. § 101(51D). Debtor is not a small business debtor as defined in 11 U.S.C. § 101(51D). Filing Fee to be paid in installments (applicable to individuals only). Must attach signed application for the court's consideration certifying that the debtor is Check if: unable to pay fee except in installments. Rule 1006(b). See Official Form 3A. Debtor's aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,490,925 (amount subject to adjustment Filing Fee waiver requested (applicable to chapter 7 individuals only). Must on 4/01/16 and every three years thereafter). attach signed application for the court's consideration. See Official Form 3B. Check all applicable boxes: A plan is being filed with this petition. Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b). Statistical/Administrative Information THIS SPACE IS FOR COURT USE ONLY Debtor estimates that funds will be available for distribution to unsecured creditors. Debtor estimates that, after any exempt property is excluded and administrative expenses paid, there will be no funds available for distribution to unsecured creditors. Estimated Number of Creditors  $\mathbf{X}$ 50-99 100-199 200-999 5.001-10.001-25,001-1-49 1.000-50.001-Over 50,000 100,000 5,000 10,000 25,000 100,000 Estimated Assets X \$0 to \$50,001 to \$100,001 to \$500,001 \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than \$50,000 \$500,000 to \$1 billion \$1 billion \$100,000 to \$1 to \$10 to \$50 to \$100 to \$500 million million million million million Estimated Liabilities П X  $\Box$ П  $\Box$  $\Box$ \$0 to \$50,001 to \$100,001 to \$500,001 \$1,000,001 \$10,000,001 \$50,000,001 \$100,000,001 \$500,000,001 More than \$50,000 \$100,000 \$500,000 to \$1 to \$10 to \$50 to \$100 to \$500 to \$1 billion \$1 billion million million million million million

B1 (Official Folk 10383-smb Doc 1 Filed 02/21/14 Entered 02/21/14 22:14:50 Main Document **Voluntary Petition** of Debtor(s): Suntech Power Holdings Co., Ltd (This page must be completed and filed in every case.) All Prior Bankruptcy Cases Filed Within Last 8 Y Years (If more than two, attach additional sheet.) Case Number: 13-13350 Date Filed: 10/14/13 Location Southern District of New York Where Filed: Location Date Filed: Case Number: Where Filed: Pending Bankruptcy Case Filed by any Spouse, Partner, or Affiliate of this Debtor (If more than one, attach additional sheet.) Name of Debtor: Case Number: Date Filed: District: Relationship: Judge: Exhibit A Exhibit B (To be completed if debtor is required to file periodic reports (e.g., forms 10K and (To be completed if debtor is an individual 10Q) with the Securities and Exchange Commission pursuant to Section 13 or 15(d) whose debts are primarily consumer debts.) of the Securities Exchange Act of 1934 and is requesting relief under chapter 11.) I, the attorney for the petitioner named in the foregoing petition, declare that I have informed the petitioner that [he or she] may proceed under chapter 7, 11, 12, or 13 of title 11, United States Code, and have explained the relief available under each such chapter. I further certify that I have delivered to the debtor the notice required by 11 U.S.C. § 342(b). Exhibit A is attached and made a part of this petition. Signature of Attorney for Debtor(s) (Date) Exhibit C Does the debtor own or have possession of any property that poses or is alleged to pose a threat of imminent and identifiable harm to public health or safety? Yes, and Exhibit C is attached and made a part of this petition.  $\sqrt{\phantom{a}}$ No. Exhibit D (To be completed by every individual debtor. If a joint petition is filed, each spouse must complete and attach a separate Exhibit D.) Exhibit D, completed and signed by the debtor, is attached and made a part of this petition. If this is a joint petition: Exhibit D, also completed and signed by the joint debtor, is attached and made a part of this petition. Information Regarding the Debtor - Venue (Check any applicable box.) Debtor has been domiciled or has had a residence, principal place of business, or principal assets in this District for 180 days immediately П preceding the date of this petition or for a longer part of such 180 days than in any other District. There is a bankruptcy case concerning debtor's affiliate, general partner, or partnership pending in this District.  $\sqrt{\phantom{a}}$ Debtor is a debtor in a foreign proceeding and has its principal place of business or principal assets in the United States in this District, or has no principal place of business or assets in the United States but is a defendant in an action or proceeding [in a federal or state court] in this District, or the interests of the parties will be served in regard to the relief sought in this District. Certification by a Debtor Who Resides as a Tenant of Residential Property (Check all applicable boxes.) Landlord has a judgment against the debtor for possession of debtor's residence. (If box checked, complete the following.) (Name of landlord that obtained judgment) (Address of landlord) Debtor claims that under applicable nonbankruptcy law, there are circumstances under which the debtor would be permitted to cure the entire monetary default that gave rise to the judgment for possession, after the judgment for possession was entered, and П Debtor has included with this petition the deposit with the court of any rent that would become due during the 30-day period after the filing of the petition. Debtor certifies that he/she has served the Landlord with this certification. (11 U.S.C. § 362(1)).

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and correct.	31 (Official Form 1) (04/13) Page 3			
Signatures Signatures (s) Of Debors (s) Individual/Joint)  I declare under penalty of perjury that the information provided in this petition is troe and correct.  If declare under penalty of perjury that the information provided in this petition is troe and correct.  If declare under penalty of perjury that the information provided in this petition is troe and correct. In an individual whose debts are primarily consumer debts and has been consens to file under chapter 7. [1, 12] or 13 of title 11. United States Code, understand the relef available under each such chapter, and choose to proceed under chapter 7. [1, 12] or 13 of title 11. United States Code, understand the relef available under each such chapter, and choose to proceed under chapter 7. [1, 12] or 13 of title 11. United States Code specified in this petition.  If the attention's representative of a debtor in a foreign proceed under chapter of title 13 perition. Accordance with chapter 15 of title 11, United States Code specified in this petition.  X Signature of Debtor  X Signature of Joint Debtor  Telephone Number (if not represented by attorney)  Date  X Signature of Joint Debtor  Transpart to 11 U.S.C. § 110, [2] prepared this document for compensation and to chapter of title 13 perition. Accordance with the order granting recognition of the foreign representative)  2.1 February Cot is foreign Representative)  2.2 February Cot is foreign Representative)  2.3 February Cot is foreign Representative)  2.4 February Cot is foreign Representative)  2.5 February Cot is foreign Representative)  2.6 February State of Non-Attorney Bankruptey Petition Preparer  1. declare under penalty of perjury that (1) 1 U.S.C. § 110, (2) prepared this document for compensation and information in the scholary has no knowledge after an inquiry that the information in the scholary has no knowledge after an inquiry that the information in the scholary is petition. Preparer is not an individe a caccepting any fee from the debtor, as required in that section. Official Form i	Voluntary Petition			
Signature of a Forsign Representative				
I declare under penalty of perjury that the information provided in this petition is true and correct.  If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7 [1] are aware that I may proceed under chapter 7 [1]. United States Code, understand the reticle available under each such chapter, and chooses to proceed under chapter 7 [1] from a tomore represents me and no bankupacy operation preparer signs the petition of have obtained and read the notice required by 11 U.S.C. § 342(b).  I roquest relief in accordance with the chapter of title 11, United States Code, specified in this petition.  X Signature of Debtor  X Signature of Johns Debtor  Telephone Number (if not represented by attorney)  Dote  Signafure of Attorney*  X Signature of Non-Attorney Bankruptcy Petition Preparer  Y Signature of Non-Attorney Bankruptcy Petition Preparer  X Signature of Non-Attorney Bankruptcy Petition Preparer  Y Signature of Non-Attorney Bankruptcy Petition Preparer  Y Signature of Non-Attorney Bankruptcy Petition Preparer  I make Sague Tower  Times Sague Towe				
and correct. [If petitioner is an individual whose debts are primarily consumer debts and has chosen to file under chapter 7] I are sware that I may proceed under chapter 7, 11, 12 or 13 of title 11. United States Code, understand the relief available under each such chapter, and chosen to proceed under chapter 7.  If no atomic represents me and no bankraptery petition preparer signs the petition] have obsaured and read the notice required by 11 U.S.C. § 313.0.  I request relief in accordance with the chapter of title 11, United States Code specified in this petition.  X  Signature of Debtor  X  Signature of Joint Debtor  Telephone Number (if not represented by attorney)  Date  Signafore of Attorney of Debtors  Very 1905.  O'Melveny & Myers LLP  Firm Name  Then Sewer I were  The Sewer I were  Then Sewer I were  The Sewer I were  The Sewer I were  Signature of Debtor (Corporation/Partnership)  I declare under penalty of perjuny that the information provided in this spetition in troe and correct, and that I many information provided in this petition in troe and correct, and that I may be an authorized to file this petition on behalf of the debtor requests the relief in accordance with the chapter of title 11, United States Code specified in this Section is troe and correct, and that I may be a making the period of the bankruptey petition preparer is not an individual with the offormation in the schedules in section in the schedules in secondary to the schedules of the sec	Signature(s) of Debtor(s) (Individua	nI/Joint)	Signature of a Foreign Representative	
I request relief in accordance with the chapter of title 11, United States Code, specified in this petition.  X Signature of Debtor  X Signature of Joint Debtor  Telephone Number (if not represented by attorney)  Date  Signature of Joint Debtor  X Signature of Joint Debtor  X Signature of Joint Debtor  Telephone Number (if not represented by attorney)  Date  Signature of Attorney at Attorney  X Signature of Attorney at Attorney  X Signature of Attorney at Attorney  X Signature of Month Attorney at Attorney  X Signature of Month Attorney at Attorney  X Signature of Month Attorney at Attorney  The Month Attorney at Attorney at Attorney  I declare under penalty of perjury that: (1) I am a bankruptcy petition prepared defined in 11 U.S.C. § 110, (2) prepared this document for compensation and by provided the debtor with a copy of this document and the notices and information attached.  The Address of Poets of Corporation/Partnership)  Address  Signature of Poets of Corporation/Partnership  I declare under penalty of perjury that: (1) I am a bankruptcy petition prepared defined in 11 U.S.C. § 110, (2) prepared this document for compensation and by provided the debtor with a copy of this document and the notices and information attached.  Signature of Non-Attorney Bankruptcy Petition Preparer  I declare under penalty of perjury that: (1) I am a bankruptcy petition prepared and information and information at the notice of the maximum anomation and information in the schedules is incorrect.  Signature of Non-Attorney Bankruptcy Petition Preparer  I declare under penalty of perjury that: (1) I am a bankruptcy petition prepared in this petition. A certified on the debtor of perjury that: (1) I am a bankruptcy petition prepared in this defined in 11 U.S.C. § 110, (1) in the debtor are appeared by bankruptcy petition prepared in the period of the debtor and information provided in the information provided in the information provided in this petition is true and correct, and that I have been authorized to file this petition	and correct. [If petitioner is an individual whose debts are primarichosen to file under chapter 7]. I am aware that I may pro or 13 of title 11. United States Code, understand the relichapter, and choose to proceed under chapter 7.	ly consumer debts and has ceed under chapter 7, 11, 12 of available under each such	(Check only one box.)  I request relief in accordance with chapter 15 of title 11. United States Code.	
Transpart relief in accordance with the chapter of title 11, United States Code specified in this petition. A certified copy of the sorder granting recognision file foreign main proceeding is attached.   X   Signature of Debtor   X   Signature of Joint Debtor   Telephone Number (if not represented by attorney)   Date     Signature of Joint Debtor     Date     Signature of Attorney*     Signature of Foreign Representative)     2   FUDERARY   Col   Transpart	have obtained and read the notice required by 11 U.S.C. § 342(b).			
Signature of Debtor  X Signature of Joint Debtor  Telephone Number (if not represented by attorney)  Date  Signature of Attorney*  X Signature of Non-Attorney Bankruptcy Petition Preparer  I declare under penalty of perjury that: (1) I am a bankruptcy petition prepare defined in 11 U.S.C. § 110(2) I prepared this document and the notices and information of Attorney Adverse LLP  Firm Name  Time Seams Tower  The Seams Tower  Telephone Number  Date  *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.  Signature of Debtor (Corporation/Partnership)  I declare under penalty of perjury that the information provided in this petition preparer is not an individent of Attorney attached.  Signature of Non-Attorney Bankruptcy Petition Preparer  I declare under penalty of perjury that the notices and information required the debtor at oppy of this document and the notices and information in the action of the action of the debtor, as required in that section. Official Form I attached.  Signature of Non-Attorney Bankruptcy Petition Preparer  Signature of Non-Attorney Bankruptcy Petition preparer.  I declare under penalty of perjury that the notices and information required under 11 U.S.C. § 110(b), and 342(b), and, (3) if rules guidelines have been promulgated pursuant to 11 U.S.C. § 110(b) and 342(b), and, (3) if rules guidelines have been promulgated pursuant to 11 U.S.C. § 110(b) and 342(b), and, (3) if rules guidelines have been promulgated pursuant to 11 U.S.C. § 110(b), and 342(b), and, (3) if rules guidelines have been promulgated pursuant to 11 U.S.C. § 110(b), and 342(b), and, (3) if rules guidelines have been promulgated pursuant to 11 U.S.C. § 110(b), and 342(b), and, (3) if rules guidelines have been promulgated pursuant to 11 U.S.C. § 110(b), an	specified in this petition.	le 11, United States Code,	chapter of title 11 specified in this petition. A certified copy of the order granting recognition of the foreign main proceeding is attached.	
Crimted Name of Foreign Representative	Signature of Debtor		(Signature of Foreign Representative)	
Signature of Attorney*  X  Addresses  *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.  Signature of Perior (Corporation/Partnership)  I declare under penalty of perjury that: (1) 1 am a bankruptcy petition prepare define in 11 U.S.C. § 110(b), 21 Toppared this document and the notices and informat required under 11 U.S.C. § 110(b), and 342(b), and, (3) if rules guidelines have been promulgated pursuant to 11 U.S.C. § 110(b), setting a maxim fee for services chargeable by bankruptcy petition preparers, I have given the denotice of the maximum amount before preparing any document for filing for a de or accepting any fee from the debtor, as required in that section. Official Form I attached.  *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.  Signature of Debtor (Corporation/Partnership)  I declare under penalty of perjury that: (1) 1 am a bankruptcy petition preparer define in 11 U.S.C. § 110(h), and 342(b), and, (3) if rules guidelines have been promulgated pursuant to 11 U.S.C. § 110(h), and 342(b), and, (3) if rules guidelines have been promulgated pursuant to 11 U.S.C. § 110(h), and 342(b), and, (3) if rules guidelines have been promulgated pursuant to 11 U.S.C. § 110(h), and 342(b), and, (3) if rules guidelines have been promulgated pursuant to 11 U.S.C. § 110(h), and 342(b), and, (3) if rules guidelines have been promulgated pursuant to 11 U.S.C. § 110(h), and 342(b), and, (3) if rules guidelines have been promulgated pursuant to 11 U.S.C. § 110(h), and 342(b), and, (3) if rules guidelines have been promulgated pursuant to 11 U.S.C. § 110(h), and 342(b), and, (3) if rules guidelines have been promulgated pursuant to 11 U.S.C. § 110(h), and 342(b), and (3) if rules guidelines have been promulgated pursuant to 11 U.S.C.	Signature of Joint Debtor  Telephone Number (if not represented by attorney)		(Printed Name of Foreign Representative) 21 February 2014	
I declare under penalty of perjury that: (1) 1 am a bankruptcy petition prepare defined in 11 U.S.C. § 110, (2) 1 prepared this document for compensation and by private Name of Name of Antome Lor Debtor(s)  O'Melveny & Myers LLP  Firm Name Times Square New York, NY 10016  Address (212) 338-2000  Telephone Number  Date  *In a case in which § 707(b)(4)(D) applies, this signature also constitutes a certification that the attorney has no knowledge after an inquiry that the information in the schedules is incorrect.  Signature of Debtor (Corporation/Partnership)  I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor requests the relief in accordance with the chapter of title 11, United States  Code, specified in this petition.			Company of New Atternation Dealers when Political December	
I declare under penalty of perjury that the information provided in this petition is true and correct, and that I have been authorized to file this petition on behalf of the debtor.  The debtor requests the relief in accordance with the chapter of title I1, United States Code, specified in this petition.  X Date	X Signature of Attorney for Debtor(s) Printed Name of Attorney for Debtor(s) O'Melveny & Myers LLP Firm Name Times Square Times Square New York, NY 10036 Address (212) 326-2000 Telephone Number  Date  *In a case in which § 707(b)(4)(D) applies, this signature certification that the attorney has no knowledge after an in the schedules is incorrect.	nquiry that the information	I declare under penalty of perjury that: (1) I am a bankruptcy petition preparer as defined in II U.S.C. § 110; (2) I prepared this document for compensation and have provided the debtor with a copy of this document and the notices and information required under II U.S.C. §§ 110(b), 110(h), and 342(b); and, (3) if rules or guidelines have been promulgated pursuant to II U.S.C. § 110(h) setting a maximum fee for services chargeable by bankruptcy petition preparers, I have given the debtor notice of the maximum amount before preparing any document for filing for a debtor or accepting any fee from the debtor, as required in that section. Official Form 19 is attached.  Printed Name and title, if any, of Bankruptcy Petition Preparer  Social-Security number (If the bankruptcy petition preparer is not an individual, state the Social-Security number of the officer, principal, responsible person or	
and correct, and that I have been authorized to file this petition on behalf of the debtor.  The debtor requests the relief in accordance with the chapter of title I1, United States Code, specified in this petition.  X	Signature of Debtor (Corporation/Pa	rtnership)		
	and correct, and that I have been authorized to file the debtor.  The debtor requests the relief in accordance with the cha-	is petition on behalf of the	X	
Signature of Authorized Individual			Date	
Signature of bankruptcy petition preparer or officer, principal, responsible persor	Signature of Authorized Individual		Signature of bankruptcy petition preparer or officer, principal, responsible person, or	
Printed Name of Authorized Individual partner whose Social-Security number is provided above.			partner whose Social-Security number is provided above.	
in preparing this document unless the bankrunter petition preparer is not			Names and Social-Security numbers of all other individuals who prepared or assisted in preparing this document unless the bankruptcy petition preparer is not an	
individual.  If more than one person prepared this document, attach additional sheets conform to the appropriate official form for each person.  A bankruptcy petition preparer's failure to comply with the provisions of title 11	Date		individual.  If more than one person prepared this document, attach additional sheets conforming to the appropriate official form for each person.  A bankruptcy petition preparer's failure to comply with the provisions of title 11 and the Federal Rules of Bankruptcy Procedure may result in fines or imprisonment or	